



Samuel Bedford

PAPERS OF THE HISTORICAL SOCIETY OF DELAWARE.

XXVI.

GUNNING BEDFORD, JUNIOR.

BY

HENRY C. CONRAD,

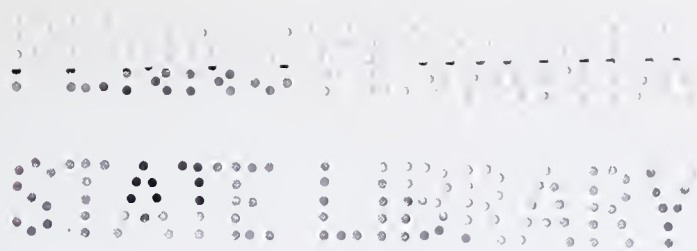
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GUNNING BEDFORD, JUNIOR.

THE first Judge of the United States District Court for the District of Delaware was Gunning Bedford, Junior, he having been appointed by President George Washington in 1789, soon after the formation of the court by Act of Congress. Both the father and grandfather of Judge Bedford were named Gunning, the family coming from England, the first American branch settling at Jamestown, Virginia, in 1621. The grandfather seems to have been a resident of Cecil County, Maryland, his remains being interred at North East River in that county. The father of the Judge was a captain in the French and Indian War, followed the trade of an architect, and was a resident of Philadelphia, having been an alderman in that city for several years previous to his death in 1802, at the age of eighty-two; and the mother of the Judge was Susannah Jacquett. There were eleven children, the fifth child and second son being Gunning, Junior, the Judge, who was born in Philadelphia in 1747. At the age of twenty he entered Princeton College, then known as Nassau Hall, where he graduated in the Class of 1771. He stood at the head of the class, being the valedictorian, and made an enviable record as a college

student. Among his classmates were James Madison, who afterwards became President of the United States, and Hugh M. Brackenridge.

He studied law under Joseph Reed, an eminent Philadelphia attorney, and about 1779 moved to Delaware and settled at Dover, where he was admitted to the bar under date of August 4, 1779, in Sussex County.


After a brief residence at Dover, finding that the climate did not agree with him, he removed to Wilmington. Winning a high reputation by his scholarship and oratorical ability, he was early recognized by the people and was soon honored with official station. In 1783 he was elected a member of the Continental Congress from Delaware and served for three years. On April 26, 1784, he was appointed Attorney-General of the State of Delaware, where he served with marked ability. On June 17, 1786, he was elected, with George Read, Jacob Broom, John Dickinson, and Richard Bassett, as a commission to meet commissioners from the other States in the Union for the purpose of forming a system of commercial regulations between the States, who were to meet in Annapolis on the first Tuesday of September of that year. His high rank as a professional man is shown by his association with the most distinguished men of his time. The same men who were delegated to attend the Annapolis convention were selected a year later as delegates from Delaware to frame the first Constitution of the United States.

In this Constitutional Convention Mr. Bedford was a prominent figure. Its membership represented the master



THE CITY RESIDENCE OF GUNNING BEDFORD, JUNIOR.

NO. 606 MARKET STREET, WILMINGTON, DELAWARE.



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minds of that day. Gunning Bedford, Junior, frequently took the floor and argued questions brought before the body with marked ability and force. He combated strenuously the efforts made by the members from the larger States whereby they sought to give the more populous States a representation in both houses of Congress based on population. He frequently crossed swords with Alexander Hamilton, a member from New York, and James Madison, a delegate from Virginia, and it was largely due to his personal efforts and eloquent appeals that the provision of the Constitution was adopted whereby each of the States was accorded the same representation in the United States Senate, the wisdom of which provision the experience of a century has fully vindicated.

A recent article which appeared in *Munsey's Magazine* on "The Making of the Constitution," from the pen of Hon. Thomas B. Reed, says:

"The Constitution of the United States was not the work of inspiration, or even of genius. It had its origin in the good sense of able men applied to the practical work in hand, in a keen appreciation of the dangers already existing, and the greater dangers to come, and in the spirit of conciliation forced upon its authors by the ever-present nature of the troubles to be avoided.

"A little less than four months of almost constant discussion covered the period between the 25th of May, when they began, and the 17th of September, when all but three, who were present, signed and recommended the Constitution to the people of the United States. There were

twenty-nine members present when they organized, and during the four months, from time to time, came in other members to the number of twenty-three. Fifty-two men, therefore, contributed their wisdom to the final result, though only thirty-nine certified by their signatures to the 'Unanimous Consent of the States Present.' "

Mr. Reed pays a deserved tribute to the members of the Convention and commends the faithfulness of their work in his concluding paragraphs as follows :

" Nevertheless, the reader of the debates arises from their perusal with increased respect for the wisdom and foresight of the men of whom Madison justly says, ' There never was an assembly of men charged with a great and arduous trust who were more pure in their motives, or more exclusively or more anxiously devoted to the object committed to them.' Peace to their ashes. Reverence to their memories. If their work should not be eternal, that work and its results will have educated their children to meet successfully the problem of that future into which they could not penetrate.

" How earnest they were, and how doubtful was the issue, how often they were alternately torn by doubts and difficulties, and rejoiced by successful coping with their hazardous problems, was voiced by the many-sided intellect of the great Dr. Franklin.

" Whilst the last members were signing, Dr. Franklin, looking towards the President's chair, at the back of which a rising sun happened to be painted, observed to a few members near him that painters had found it difficult to

distinguish, in their art, a rising from a setting sun. 'I have,' said he, 'often and often, in the course of the session, and in the vicissitudes of my hopes and fears as to its issue, looked at that behind the President, without being able to tell whether it was rising or setting; but now at length I have the happiness to know that it is a rising, and not a setting sun.' "

Returning from the Convention to his home, Mr. Bedford exerted himself in having his State ratify the Constitution; and to no man more than to Gunning Bedford, Junior, is the credit due for having the name of Delaware at the very head of the sisterhood of States. In 1788 he was elected a member of the State Council from New Castle County, and continued to serve until his elevation to the bench a year later.

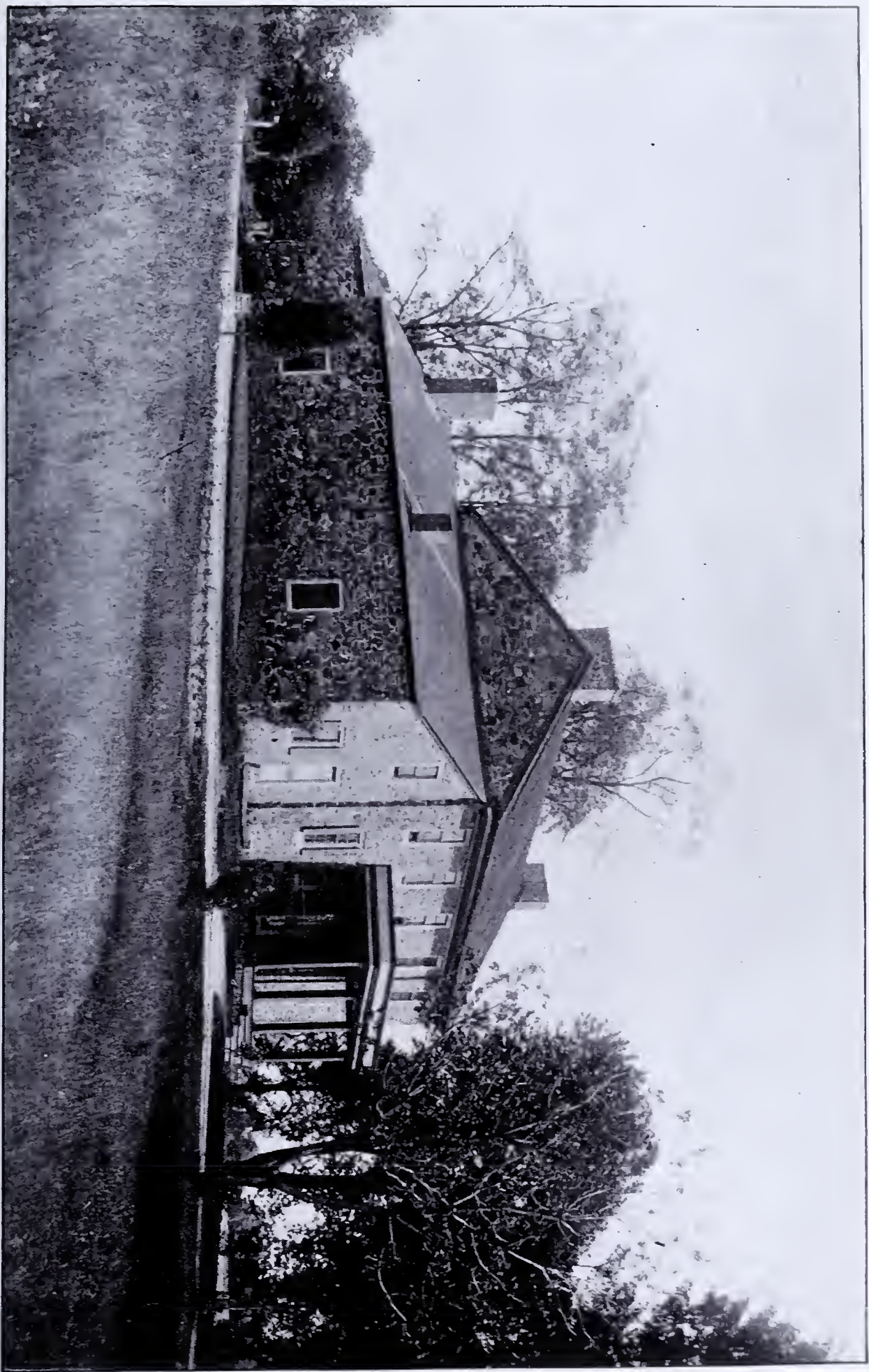
In 1789 he was appointed by President George Washington the first District Judge of the United States for the District of Delaware, the President doubtless being fully convinced of his eminent fitness for the place by reason of the long and intimate acquaintance which had existed between them beginning during the War of the Revolution and continuing until the death of Washington.

In times past much confusion has been caused by the mixing up of two Gunning Bedfords who figured in Delaware at the same time. Judge Bedford was always known as Gunning Bedford, *Junior*. He uniformly signed his name with the Junior attached. He had a cousin whose name also was Gunning Bedford. The latter was five years the senior of the Judge, being born in 1742, and was the

son of William Bedford, a farmer, who lived in New Castle Hundred. Gunning Bedford and not Gunning Bedford, Junior, married a sister of George Read, the signer, was Lieutenant-Colonel in David Hall's regiment in the Revolution, and in 1795 was elected Governor of Delaware. He also served as Prothonotary and Register of Wills for New Castle County, and is buried in Immanuel Church-Yard at New Castle. Even so careful a biographer as Judge Whitely made the mistake of giving to Gunning Bedford (the Governor) some of the credit and offices which belonged to Gunning Bedford, Junior (the Judge).

Judge Bedford married early, so early that on the occasion of his graduation at Princeton, in 1771, his wife was present with her first baby, and the story goes that the baby was left in the care of the wife of Dr. Witherspoon while Mrs. Bedford attended the commencement exercises. So the young college student stepped from the graduating desk to "family cares" in reality. His wife was Jane Balaroux Parker, the daughter of James Parker, editor of the *Post Boy*, published in New York, and one of the earliest American printers. Parker learned his trade as a printer side by side with Benjamin Franklin in Boston, and he exchanged with Franklin the first dollar he ever made as an apprentice. That dollar, by the way, was afterwards fashioned into a punch-strainer, and is now among the valuable relics of the Historical Society of Delaware, having been bequeathed to the Society by Henrietta Jane Bedford, a daughter of Judge Bedford.

Mrs. Bedford is described as a lady of rare accomplish-



“LOMBARDY,” THE COUNTRY RESIDENCE OF GUNNING BEDFORD, JUNIOR.

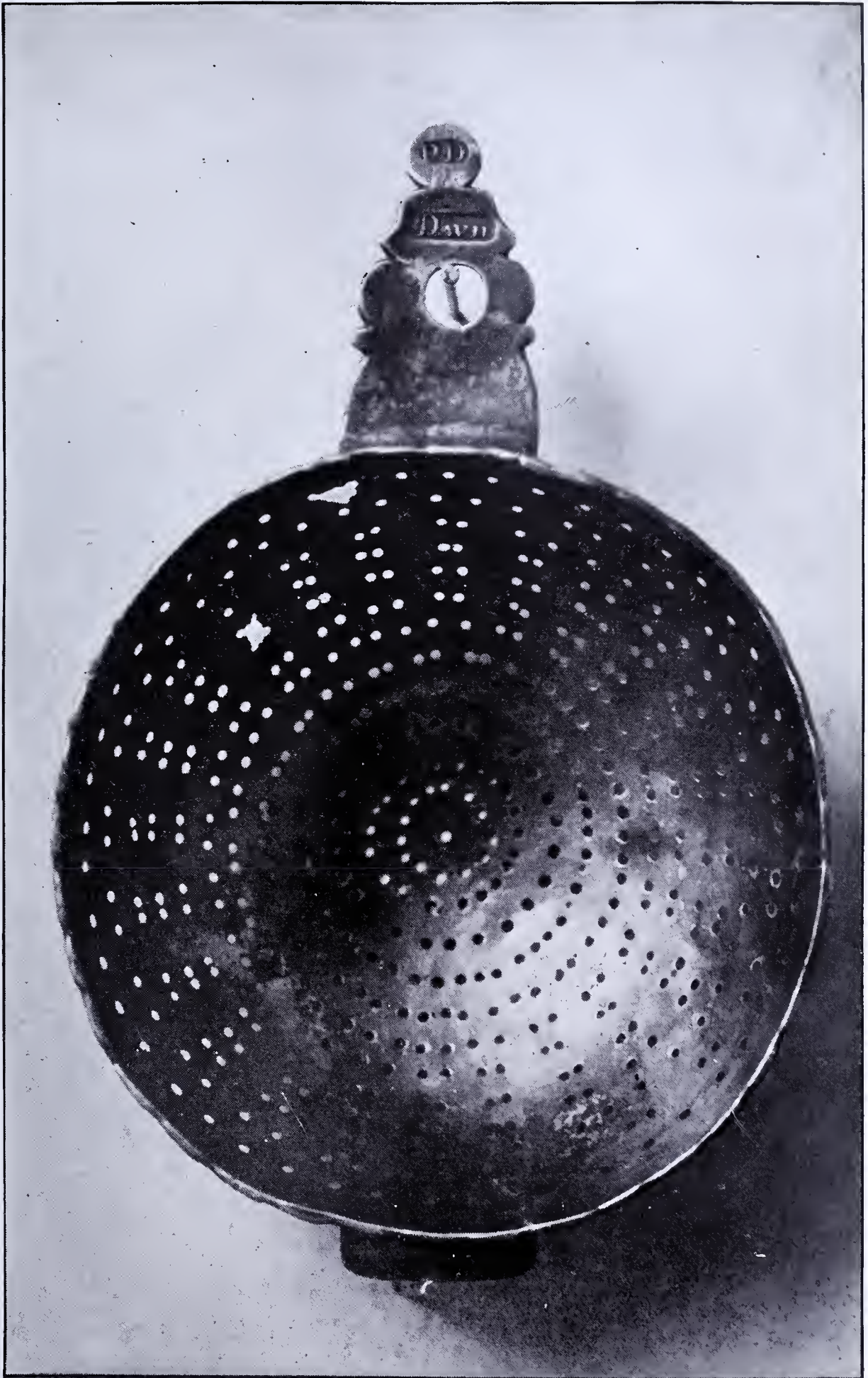
ments and great intellect, whose grace and conversational powers contributed much to the advancement of her husband's home, and naturally gave her a leading place in the most cultured society of that day.

Judge Bedford's residence in Wilmington was at what is now known as No. 606 Market Street (now occupied by William J. Fisher, and for many years known as the McCaulley house). It was built by Abijah Dawes, an early resident of Wilmington, and in the Revolution is said to have been the head-quarters of the French army. It was at that time the stateliest house in the borough. Afterwards this house was owned and occupied by Louis McLane, a distinguished Delawarean who served as United States Senator, Secretary of State, and Secretary of the Treasury under President Andrew Jackson, and twice as United States Minister to Great Britain. Judge Bedford occupied the house for some years, but in 1793 bought from the Charles Robinson estate a farm of two hundred and fifty acres on the Concord Turnpike in Brandywine Hundred, being, as described in the deed, "Pisgah, part of a larger tract called New-work." He renamed the place "Lombardy," and the present Lombardy Cemetery is a part of the same farm. The large and handsome stone mansion which he built on the farm is still standing; and there he made his home during the remainder of his life.

Elizabeth Montgomery in her "Reminiscences of Wilmington" says: "Judge Bedford and his lady were remarkably handsome persons and of noble stature. Mrs. Bedford received an accomplished education and spoke

French fluently, her mother being a native of France. When emigrants from that country crowded this town, Mrs. Bedford was their friend and patron. Her entertainments excelled in tasteful arrangement and ornamental display—so said foreigners.”

Judge Bedford died on March 30, 1812, in the sixty-fifth year of his age. His wife, one son, and a daughter survived him. Mrs. Bedford lived nineteen years after her husband, dying in 1831. For several of the last years of her life she was blind, yet still retained the charming manners which had characterized her youth and prime. The son, whose name was Gunning James Bedford, and who was always of feeble mind, died in 1845. The daughter, and youngest child of Judge Bedford, was Henrietta Jane Bedford, who lived to reach her eighty-third year, having died in this city in 1871. She possessed intellectual gifts of a high order. She alone of all the children of her father's house appeared to inherit the abilities with which her parents were endowed. Her education was the best that her day afforded for women, and she was trained in all the accomplishments then in vogue. She was a passionate lover of music, performing skilfully upon piano and guitar, and having learned to play the harp when nearly seventy years old. Her conversational powers were very fine, and even in her old age she entered most vivaciously into social intercourse. Retaining full recollection of most of the famous people who had gathered at her father's fireside, she brought the past into contact with the present in a remarkable manner. Animated, witty, full of anecdote,



THE SILVER STRAINER MADE FROM THE FIRST DOLLAR EARNED BY
BENJAMIN FRANKLIN.

well informed in regard to current events as well as those of bygone times, she was a delightful companion, even when her life had long passed the limits of three score years and ten.

Her disposition was kindly and affectionate. To her suffering mother and afflicted brother she showed the utmost tenderness, fulfilling to the utmost every duty that devolved upon her as a daughter and sister.

Miss Bedford by her will, which was proven in this county on the 21st of August, 1871, describes herself as a daughter of "Hon. Gunning Bedford, Junior, Aide-de-Camp to General Washington in the Revolutionary war." The will provides that a portrait of her father be placed in the Capitol at Washington near that of James Madison, a room-mate of her father's and one of the framers of the Constitution. It also provides that a pair of pocket-pistols be placed in the Smithsonian Institution at Washington, or if that cannot be done, that they be delivered to the Historical Society of Delaware. The portrait of her father was sent to Washington and now hangs on the wall of the corridor, in a conspicuous place, at the head of a stairway at the Senate end of the Capitol. The pocket-pistols were delivered to the Historical Society, and now remain in its collection. Her will gives the following history of the pocket-pistols: "During the Revolutionary war General Washington, desiring my father to go from Trenton to New York on some important secret embassy at night, and fearing that he was not sufficiently armed with the pistols in his holsters, presented him with a pair of pocket-pistols with a view to his protection and greater security."

The silver punch-strainer, of which I have spoken heretofore in this sketch, came to the Historical Society by Miss Bedford's will.

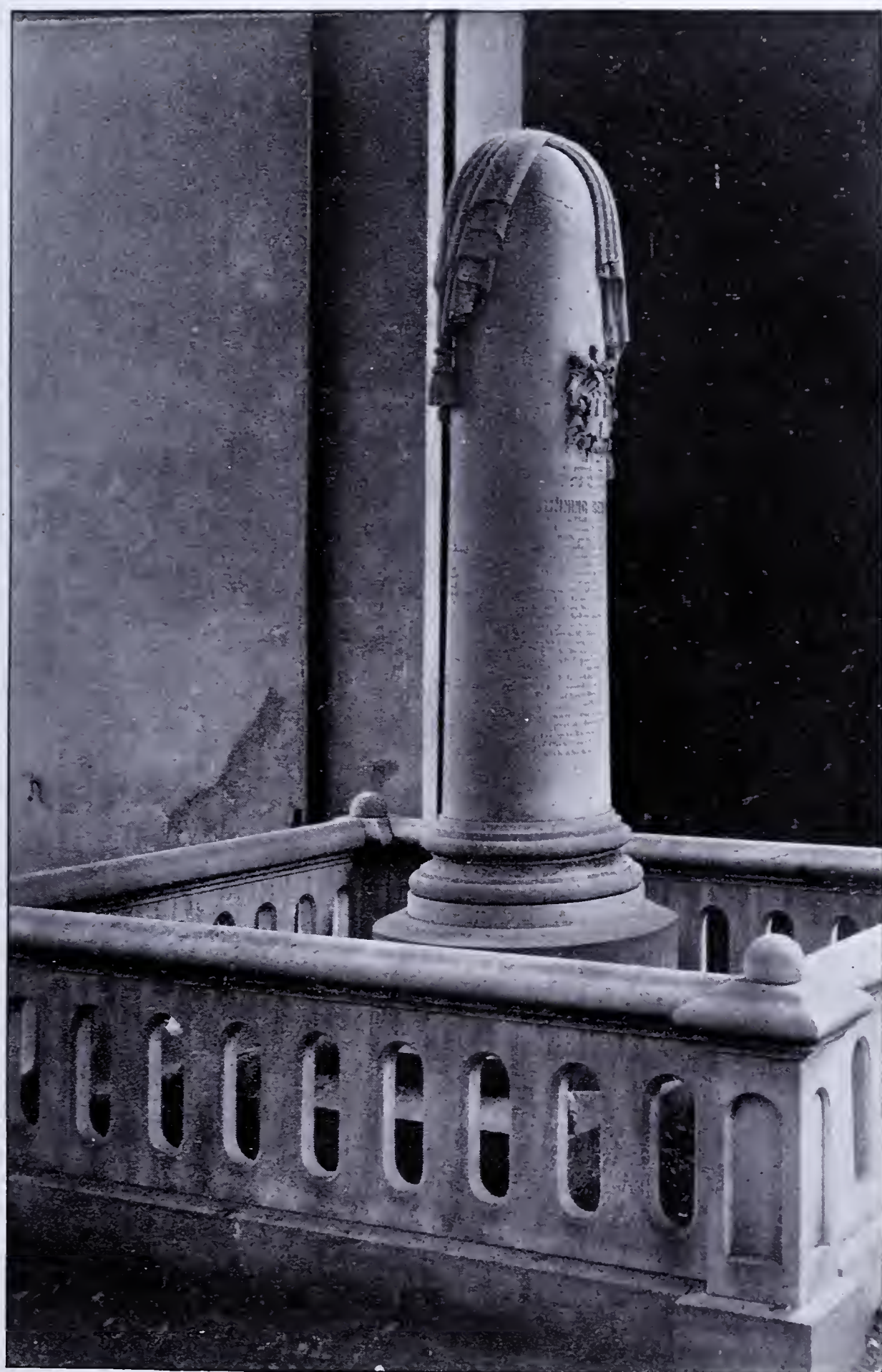
I presume that Miss Bedford's allusion to the military service of her father as aide-de-camp to General Washington must be correct, although I have found nothing in the records to corroborate the statement. He did not come to Delaware until about 1779. I am satisfied that he did not serve in the Revolutionary War in any of the Delaware regiments. He may have served from Pennsylvania and been credited to that State.

Gunning Bedford, Junior, was a Presbyterian in religion, and usually worshipped in the building in which we are now assembled. His remains lie buried in the graveyard adjoining this building, the First Presbyterian Church, and I cannot more concisely and appropriately close this sketch than by quoting the epitaph which was written by William T. Read and which appears on the handsome marble monument which was erected over his remains by Henrietta Jane Bedford, his daughter, in 1858:

“ In hope
of a joyful resurrection,
through faith in Jesus Christ,
here rests the mortal part
of

GUNNING BEDFORD.

Born in Philadelphia, A.D. 1747,
Graduated at Nassau Hall, New Jersey, A.D. 1771,
with great distinction.



THE BEDFORD MONUMENT



Having studied law in Philadelphia,
he practised in Delaware
with success ;
distinguished by his eloquence as an advocate,
Attorney-General, member of the Legislature of Delaware
(and of Congress)
and one of the delegates to the Convention that
framed the Constitution of the United States (by whose
efforts, with those of other delegates, two Senators were obtained
for the State of Delaware).
He received from Washington the Commission of first Judge of the
District Court of the United States for the District of Delaware
which he held till his death in 1812.
He so behaved in these high offices as to deserve and receive
the approbation of his fellow-citizens.
His form was goodly, his temper amiable,
his manners winning, and his discharge
of private duties exemplary.
Reader, may his example stimulate
you to improve the talents—be they five or
two, or one—with which God has entrusted you."

